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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/936,868	09/16/2003	Lauri Huotari	PAT131USA	5561
24339 7	7590 09/14/2005		EXAMINER	
JOEL D. SKINNER, JR.			BLAKE, CAROLYN T	
SKINNER AN 212 COMMER	ID ASSOCIATES RCIAL ST.		ART UNIT	PAPER NUMBER
HUDSON, WI 54016			3724	

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)				
	09/936,868	HUOTARI ET AL.				
Office Action Summary	Examiner	Art Unit				
	Carolyn T. Blake	3724				
The MAILING DATE of this communication ap	pears on the cover sheet with the	correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPL WHICHEVER IS LONGER, FROM THE MAILING D - Extensions of time may be available under the provisions of 37 CFR 1. after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period - Failure to reply within the set or extended period for reply will, by statut Any reply received by the Office later than three months after the mailine earned patent term adjustment. See 37 CFR 1.704(b).	DATE OF THIS COMMUNICATIO 136(a). In no event, however, may a reply be ti will apply and will expire SIX (6) MONTHS from e, cause the application to become ABANDONI	N. mely filed n the mailing date of this communication. ED (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on 01 J	<u>lune 2005</u> .					
a)⊠ This action is FINAL . 2b)□ This action is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is						
closed in accordance with the practice under	Ex parte Quayle, 1935 C.D. 11, 4	.53 O.G. 213.				
Disposition of Claims						
4) ⊠ Claim(s) <u>1 and 3-12</u> is/are pending in the apple 4a) Of the above claim(s) is/are withdra 5) □ Claim(s) is/are allowed. 6) ⊠ Claim(s) <u>1 and 3-12</u> is/are rejected. 7) □ Claim(s) is/are objected to. 8) ⊠ Claim(s) <u>1 and 3-12</u> are subject to restriction and an angle is/are.	awn from consideration.					
Application Papers						
9) ☐ The specification is objected to by the Examina 10) ☑ The drawing(s) filed on 17 September 2001 is an Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct to be a sheet of the second	/are: a)⊠ accepted or b)⊡ obje e drawing(s) be held in abeyance. Se ction is required if the drawing(s) is o	ee 37 CFR 1.85(a). ojected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
a) Acknowledgment is made of a claim for foreign a) All b) Some * c) None of: 1. Certified copies of the priority document 2. Certified copies of the priority documents. Copies of the certified copies of the priority documents application from the International Bureat* See the attached detailed Office action for a list	nts have been received. Its have been received in Applica prity documents have been receiv au (PCT Rule 17.2(a)).	tion No red in this National Stage				
Attachment(s)	4) Interview Summar					
Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date Notice of Information Date Other:						

DETAILED ACTION

1. This action is in response to applicant's amendment received on June 1, 2005.

2. The objection to the specification is withdrawn in view of the amendment.

3. The objection to the claims is withdrawn in view of the amendment.

4. The text of those sections in Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

5. Claims 1, 7, and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 1, 7, and 12, Applicant appears to claim alternative tools because the method can be scoring, punching, perforation, opening, cutting, etc. Applicant is suggested to use the phrase - -a cutting operation- - for clarity, replacing the entire phrase "a scoring, punching, perforation, opening or cutting operation" in claim 1 and making equivalent changes to claims 7 and 12.

Claim 12 recites the limitation "the tool" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claim Objections

- 6. Claim 1 is objected to because of the following: "impact the too" should be changed to --impact the tool--. Appropriate correction is required.
- 7. Claims 10 and 11 are objected to because of the following: "one of the previous" (line 1) should be deleted.

Claim Rejections - 35 USC § 102

8. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Aske (2,246,719).

Regarding claim 1, Aske discloses a method for working paper, board, or similar, in which method punching is carried out on a material comprising the steps of:

- a. providing a counter-piece (28);
- b. providing an electromagnet (63);
- c. attaching a tool (34) to the electromagnet (63);
- d. placing the sheet material between the tool (34) and the counter-piece(28); and
- e. creating, with the aid of an electric motor effect, at least one rapid, back and forwards movement between the magnet (63) and the counter-piece (28) to impact the tool (34) against the sheet material.

Regarding claim 3, Aske discloses the force created by the electromagnet (63) is transmitted to the sheet material by means of joints and/or lever arms.

Regarding claim 4, Aske discloses the movement between the electromagnet (63) and the counter-piece (28) is a linear motion.

Regarding claim 5, Aske discloses the operation is carried out as an operation twice or more in rapid sequence.

Regarding claim 6, Aske discloses energy is charged into batteries (81) for use in the next sequence.

Regarding claim 7, Aske discloses a device for working sheet material, such as scoring, punching, perforating, creating openings, cutting, or similar, paper, board, or similar, comprising:

- a. an electromagnet component (63) operating on an electromagnetic principle;
- b. a tool (34) for performing the punching operation, the tool (34) being connected to the electromagnet (63);
- c. a counter-piece (28) disposed adjacent the tool (34) and defining a space for placement of the sheet material; and
- d. a device for conducting electricity to the electromagnet component (63) to bring it and the counter-piece (28) towards each other with a rapid, striking movement, to perform the aforesaid operation.

Regarding claim 8, Aske discloses the electromagnet (63) is permanently attached to a frame and counter-piece (28) moves towards and away from the magnet (63).

Regarding claim 9, Aske discloses the device comprises a blade (34).

Regarding claim 10, Aske discloses a battery (81).

Regarding claim 11, Aske discloses the device is assembly from two or more components (such as upper frame 24 and lower frame 2) and contains an electromagnet (63).

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Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 10. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Svidercoschi (3,040,610) in view of Rabinow (3,182,905).

Svidercoschi discloses the device substantially as claimed comprising:

- a. a frame;
- b. a cradle (12) flexibly attached to the frame;
- c. an electromagnet component (5) fixedly connected to the frame and operating on an electromagnetic principle, the electromagnet component (5) having:
 - i. an iron core (6);
 - ii. a pair of coils (10, 11) disposed on the core (6); and
 - iii. a holder (8) disposed on the core (6) between the coils (10, 11);
- d. a blade (4) for performing the operation;
- e. a counter-piece (1) connected to the frame and disposed adjacent the blade (4), the counter-piece (1) having a groove (2) defining a space for placement of the sheet material (3); and
- f. a device for conducting electricity (16) to the electromagnet component to bring the counter-piece toward the electromagnet (5) with a rapid,

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reciprocating linear movement whereby the blade (4) attached to the electromagnet (5) strikes the sheet material (3) disposed in the space to punch.

While Svidercoschi discloses relative movement between the counter-piece and the tool, the reference fails to disclose the counter-piece is reciprocatingly movable. However, Rabinow discloses a device for punching comprising an electromagnet (38), a tool (25), and a counter-piece (12) wherein the counter-piece is reciprocatingly movable. This arrangement quickly and efficiently creates punches. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was mad to make the Svidercoschi counter-piece movable, as disclosed by Rabinow, for the purpose of quickly and efficiently creating a punch.

In addition, Svidercoschi fails to disclose the counter-piece is metallic. Official notice is taken it is old and well known in the art to manufacture punch components, specifically a counter-piece as claimed, from metal because metal is durable and readily available. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to manufacture the Svidercoschi counter-piece from metal because metal is durable and readily available.

Response to Arguments

11. Applicant's arguments filed June 1, 2005 have been fully considered but they are not persuasive.

Regarding the argument Aske does not disclose a tool attached to a counterpiece, this is not claimed. In addition, Applicant does not disclose a tool attached to a counter-piece.

Regarding the argument Aske does not disclose electromagnetic actuation, this is incorrect. FIG 14 clearly shows the method and apparatus as claimed, including the connection between the tool (34) and counter-piece (63). Although Examiner believes there are differences between Aske and Applicant's device concerning structure and operation, these differences are not claimed.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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13. Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to Carolyn T. Blake whose telephone number is (571) 272-

4503. The examiner can normally be reached on Monday to Friday, 8:00 AM to 5:30

PM, alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Allan N. Shoap can be reached on (571) 272-4514. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

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September 7, 2005

Allan N. Shoap Supervisory Patent Examiner

Group 3700